

REMARKS/ARGUMENTS

Claims 1 – 3, 5 – 9, 11 – 12, 16 – 18, 21 - 26 are presented for consideration. Claims 1, 21, and 22 have been objected to by the Examiner for the misspelling of “discrete.” This has been amended in the claims. The Examiner objected to the presented Claims 1 – 3, 5 – 9, 11 – 12, 16 – 18, 21 - 26 under 35 U.S.C. §102(b) as being anticipated by Bofill as the principal reference and under 35 U.S.C. §103 as obvious in light of Bofill and Goff et al. Applicant respectfully traverses the Examiner’s rejections to the claims as follows.

Applicant’s previous arguments distinguishing the Bofill reference from Applicant’s invention have been declared moot by the Examiner. Applicant has amended its claims to provide a structure having a quick-release tightening mechanism (previously claimed in Claims 13, 15, and 27) with a ball-and-detent structure. The prior art does not teach the use of a quick-release tightening mechanism in conjunction with an ergonomic dove-tail attachment for a gas cartridge. Therefore, as Bofill does not teach each and every element of the claimed invention, Bofill is an inappropriate reference.

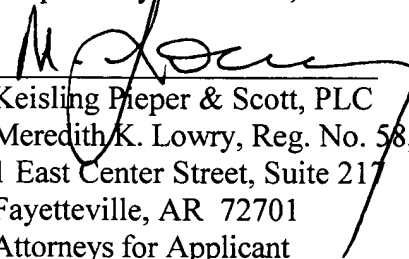
The Examiner cites Goff in conjunction with Bofill as a §103 reference showing a ball-and-detent structure for a machine gun. As suggestion for the combination of Goff and Bofill, the Examiner cites to Goff’s disclosure that the ball-and-detent structure is a structure well-suited for securely attaching two members that need to be easily removed at a later time. However, Bofill teaches against this combination. Specifically, the fastener (38) of Bofill locks the rail attachment into frictional engagement to restrict movement of the attachment pieces. Col. 4, Lines 64 – 67. This locking attachment is intended to secure the extension segment of Bofill into

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a specified position. Col. 4, Lines 59 – 67, Col. 5, Lines 1 – 2. In every embodiment of Bofill's invention, the attachment assembly is secured by means of a semi-permanent fastener. Col. 6, Lines 38 – 46. The device of Bofill is expressly drawn to a semi-permanent connection, in contrast to Applicant's invention. The combination of Goff's quick-release mechanism with the semi-permanent fastener of Bofill is a hypothetical combination which destroys the intention of the invention of Bofill. When a hypothetical combination destroys the intent of the invention of the subject reference, the combination is not desirable. See In re Gordon, 221 USPQ 1125, 1127 (Fed. Cir. 1984). Obviousness cannot be shown through an undesirable combination of references. See In re Fulton, 73 USPQ2d 1141, 1145 (Fed. Cir. 2004). Therefore, the combination of Bofill and Goff is inappropriate.

Applicant respectfully believes that this Amendment resolves all withstanding issues and earnestly solicits a telephone conference to expeditiously resolve any subsequent issues. Applicant respectfully believes that the amendments have addressed the Examiner's issues and believes the newly amended claims are ready for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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